

Rec'd PCT/PTO 16 NOV 2005  
10/520882

#7

Attorney's Docket: 900145.403USPC

PTO/SB/01A (08-03).

Approved for use through 10/31/2002. OMB 0651-0032.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE.

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	Transgenic plants used as a bioreactor system
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

☐ The attached application, orApplication No. PCT/AU2003/000903, filed on 11 July 2003,☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**Inventor one: Stevens Michael BRUMBLEYCitizen of: Australia

AUX

Signature: [Signature]Date: 02-02-2005Inventor two: Matthew Peter PURNELLCitizen of: Australia

AUX

Signature: [Signature]Date: 02-02-2005Inventor three: Barrie Fong CHONGCitizen of: Australia

AUX

Signature: [Signature]Date: 2/2/2005

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4-00 x	Inventor four: <u>Lars Arved PETRASOVITS</u>	Citizen of: <u>Australia</u>	<u>AUX</u>
	Signature: <u>Lars Arved Petrasovits</u>	Date: <u>03/02/05</u>	
5-00 x	Inventor four: <u>Lars Keld NIELSEN</u>	Citizen of: <u>Denmark</u>	<u>DKX</u>
	Signature: <u>L.K.N.</u>	Date: <u>02/02/2005</u>	
6-00 x	Inventor four: <u>Richard Bruce MCQUALTER</u>	Citizen of: <u>Australia</u>	<u>AUX</u>
	Signature: <u>R McQualter</u>	Date: <u>10/03/2005</u>	
<input type="checkbox"/> Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.			

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/81 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>ELECTION AND POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	Application Number	
	Filing Date	
	First Named Inventor	Stevens Michael BRUMBLEY
	Title	Transgenic plants used as a bioreactor system
	Art Unit	
	Examiner Name	
	Attorney Docket Number	900145.403USPC

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC, Customer Number: 00500

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the 50% interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the 50% interest I/we hereby elect, under 37 CFR 3.71, to prosecute the application to the exclusion of the inventor(s).

SIGNATURE of Applicant or Assignee of Record (if assignee, put name, title and company name in "Name" space below)

Name	The University of Queensland
Signature	<i>Douglas Porter</i>
Date	16/12/05

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 form is submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/81 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>ELECTION AND POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	Application Number	
	Filing Date	
	First Named Inventor	Stevens Michael BRUMBLEY
	Title	Transgenic plants used as a bioreactor system
	Art Unit	
	Examiner Name	
	Attorney Docket Number	900145.403USPC

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC, Customer Number: 00500

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

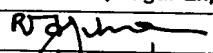
☐ Applicant/Inventor.

☒ Assignee of record of the 50% interest. See 37 CFR 3.71.

*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

☒ As assignee of record of the 50% interest I/we hereby elect, under 37 CFR 3.71, to prosecute the application to the exclusion of the inventor(s).

**SIGNATURE of Applicant or Assignee of Record (if assignee, put name, title and company name in "Name" space below)**

Name	Bureau of Sugar Experiment Stations
Signature	
Date	2/3/05

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 form is submitted.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Stevens Michael Brumbley, Matthew Peter Purnell, Barrie Fong Chong, Lars Arved Petrasovits, Lars Keld Nielsen, and Richard Bruce McQualter

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: Transgenic plants used as a bioreactor system

The University of Queensland  
(Name of Assignee)

a university  
(Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is 50 %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title noted in B above are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

THE UNIVERSITY OF QUEENSLAND

16/2/05  
Date

Douglas Porter

Typed or printed name

(206) 622-4900

Telephone Number

Douglas Porter  
Signature

Secretary and Registrar

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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WHEREAS, I/WE

Stevens Michael BRUMBLEY, an Australian citizen of 3 Carlie Court, Redbank Plains, Queensland 4301, Australia;  
Matthew Peter PURNELL, an Australian citizen of 25 Barmore Street, Tarragindi, Queensland 4121, Australia;  
Barrie Fong CHONG, an Australian citizen of 10 Emmett Street, Wynnum West, Queensland 4178, Australia;  
Lars Arved PETRASOVITS, an Australian citizen 224 Lower Hardgrave Road, West End, Queensland 4101, Australia;  
Lars Keld NIELSEN, a Danish citizen of The University of Queensland, Building 69, Room 723, Brisbane, Queensland 4072, Australia; and  
Richard Bruce MCQUALTER, an Australian citizen of 9 Alonga Court, Kallangur, Queensland 4503, Australia

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in **Transgenic plants used as a bioreactor system**

the specification of which:

- (a) ☐ was executed on even date herewith;  
(b) ☐ was filed on \_\_\_\_\_ as ☐ Application No. \_\_\_\_\_ or  
☐ Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on  
\_\_\_\_\_, (if applicable); or  
(c) ☒ was described and claimed in PCT International Application PCT/AU2003/000903  
filed on 11 July, 2003  
\_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any)  
and/or under PCT Article 34 on 23 September 2004 (if any).

AND WHEREAS,

**BUREAU OF SUGAR EXPERIMENT STATIONS**, of PO Box 86, Meiers Road, Indooroopilly, Queensland 4068, Australia; and

**THE UNIVERSITY OF QUEENSLAND**, of St Lucia, Queensland 4072, Australia


(hereinafter referred to as Assignee) desires to acquire the entire rights, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful paths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 2 day of February, 2005

  
Signature of Stevens Michael BRUMBLEY

  
Witness

This 2 day of February, 2005

x [Signature]  
Signature of **Matthew Peter PURNELL**

x [Signature: Stephens]  
Witness

This 2 day of FEBRUARY, 2005

x [Signature: Barrie Fong Chong]  
Signature of **Barrie Fong CHONG**

x [Signature: Stephens]  
Witness

x  
This 3<sup>RD</sup> day of FEBRUARY, 2005

x [Signature: Lars Arved Petrasovits]  
Signature of **Lars Arved PETRASOVITS**

x [Signature: Stephens]  
Witness

x  
This 2 day of February, 2005

x [Signature: Lars Keld Nielsen]  
Signature of **Lars Keld NIELSEN**

x [Signature: Mike]  
Witness

This 10 day of March, 2005

x [Signature: Richard Bruce McQualter]  
Signature of **Richard Bruce MCQUALTER**

x [Signature: Stephens]  
Witness

16 NOV 2005

10/520882

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Stevens Michael Brumbley, Matthew Peter Purnell, Barrie Fong Chong, Lars Arved Petrasovits, Lars Keld Nielsen, and Richard Bruce McQualter

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: Transgenic plants used as a bioreactor systemBureau of Sugar Experiment Stations, a

(Name of Assignee)

company

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is 50 %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From:

To:

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2. From:

To:

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From:

To:

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title noted in B above are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

BUREAU OF SUGAR EXPERIMENT STATIONS

2 March 2005

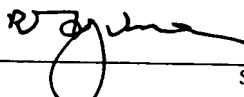
Date

ROSS FORREST GILMOUR

Typed or printed name

(206) 622-4900

Telephone Number



Signature

R&amp;D MANAGER

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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WHEREAS, I/WE

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Matthew Peter PURNELL, an Australian citizen of 25 Barmore Street, Tarragindi, Queensland 4121, Australia;  
Barrie Fong CHONG, an Australian citizen of 10 Emmett Street, Wynnum West, Queensland 4178, Australia;  
Lars Arved PETRASOVITS, an Australian citizen 224 Lower Hardgrave Road, West End, Queensland 4101, Australia;  
Lars Keld NIELSEN, a Danish citizen of The University of Queensland, Building 69, Room 723, Brisbane, Queensland 4072, Australia; and  
Richard Bruce MCQUALTER, an Australian citizen of 9 Alonga Court, Kallangur, Queensland 4503, Australia

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the specification of which:

- (a) ☐ was executed on even date herewith;  
(b) ☐ was filed on \_\_\_\_\_ as ☐ Application No \_\_\_\_\_ or  
☐ Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on  
\_\_\_\_\_, (if applicable); or  
(c) ☒ was described and claimed in PCT International Application PCT/AU2003/000903  
filed on 11 July, 2003  
\_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any)  
and/or under PCT Article 34 on 23 September 2004 (if any).

AND WHEREAS,

**BUREAU OF SUGAR EXPERIMENT STATIONS**, of PO Box 86, Meiers Road, Indooroopilly, Queensland 4068, Australia; and

**THE UNIVERSITY OF QUEENSLAND**, of St Lucia, Queensland 4072, Australia

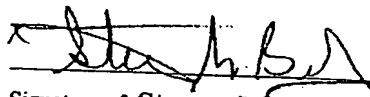
(hereinafter referred to as Assignee) desires to acquire the entire rights, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 2 day of February, 2005

  
Signature of Stevens Michael BRUMBLEY

  
Witness

This 2 day of FEBRUARY, 2005

x Stephens  
Witness

x Matthew Peter Purnell  
Signature of **Matthew Peter PURNELL**

This 2 day of FEBRUARY, 2005

x Stephens  
Witness

x Barrie Fong Chong  
Signature of **Barrie Fong CHONG**

This 3<sup>rd</sup> day of FEBRUARY, 2005

x Stephens  
Witness

x Lars-Arved Petrasovits  
Signature of **Lars Arved PETRASOVITS**

This 2 day of February, 2005

x Mike  
Witness

x Lars Keld Nielsen  
Signature of **Lars Keld NIELSEN**

This 10 day of March, 2005

x Stephens  
Witness

x Richard Bruce McQualter  
Signature of **Richard Bruce MCQUALTER**